

### **REMARKS**

Claims 1-16 are pending. Claim 9 is withdrawn. No new matter is added.

#### **Rejection of claims 1-8 and 10-16 under 35 U.S.C. §102(b)**

The Office Action states that the composition of the instant invention comprises an antigen and a fusion polypeptide comprising i) a first amino acid sequence that comprises a cell-surface binding moiety, and ii) a second amino acid sequence comprising a ligand for a cell surface polypeptide of a leukocyte, wherein the antigen and the fusion polypeptide are bounded and unbounded together.

The Office Action further states that Hoo et al teaches a composition comprising an antigen and a fusion polypeptide, and that the fusion polypeptide comprises the same amino acid sequences that are delimited in the claims of the instant invention. The Office action also states that the antigen and the fusion polypeptide of Hoo et al are bounded and unbounded together, and concludes the composition of Hoo et al is identical to that of the instant claims. Applicants disagree and traverse the rejection.

First, Hoo et al teaches, e.g. in claim 1, a cell having a **membrane-bound** fusion polypeptide (i.e., a multifunctional molecule), said cell further comprising an antigen. Contrary to the allegation of the Office Action, neither claim 1, nor claim 12, nor any other portion of Hoo et al teaches a composition which comprises a fusion polypeptide **unbound** to the cell.

In contrast, the instant claims recite the presence of a multifunctional molecule (e.g., a fusion polypeptide) which is **unbound** to a cell or virus. That limitation is, indeed, an indispensable element of the claimed invention.

Thus, Hoo et al does not teach all of the elements of the claimed invention, and on this basis alone, Hoo et al. does not anticipate the claimed invention.

Applicant further notes for the sake of clarity that, contrary to the assertions of the Office Action, neither the instant invention nor claim 1 of Hoo et al require direct

binding of a fusion polypeptide to an antigen; the fusion polypeptide need only bind to a cell (or, in the instant invention, a virus). The fact that claim 12 of Hoo et al recites an antigen directly fused to the fusion polypeptide is immaterial to the instant claims, and does not anticipate or render obvious the claimed invention.

Accordingly, based on the above arguments, Applicants respectfully request that the rejection under 35 U.S.C. 102(b) be promptly withdrawn and that all pending claims be allowed in a timely manner.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: March 20, 2008

Respectfully submitted,

Electronic signature: /Matthew Beaudet/  
Matthew Beaudet  
Registration No.: 50,649  
EDWARDS ANGELL PALMER & DODGE  
LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 239-0614  
Attorneys/Agents For Applicant